

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

INTERSTATE CORPORATION,	)	
	)	
Plaintiff,	)	Civil Action No. 22-1370
	)	
v.	)	Judge Cathy Bissoon
	)	
MSREP PROPERTIES	)	
MANAGEMENT, LLC,	)	
	)	
Defendant.	)	

**ORDER OF DISMISSAL**

This lawsuit will be dismissed for lack of subject matter jurisdiction, although the dismissal is without prejudice to refile in state court, as appropriate.

This Court owes a duty to raise sua sponte matters regarding the existence of subject matter jurisdiction. Huber v. Taylor, 532 F.3d 237, 249 (3d Cir. 2008). Plaintiff purports to bring a breach of contract claim, which arises under state law; and a lack of complete diversity of citizenship is apparent from the face of the Complaint. *See* Doc. 1 at ¶¶ 1 & 2 (alleging that both Plaintiff and Defendant are residents of Pennsylvania).

While the Court ordinarily might order Plaintiff to show cause why the case should not be dismissed for lack of subject matter jurisdiction, that is inappropriate here. This is so because Plaintiff, a corporation, cannot appear in federal court pro se (*i.e.*, without the benefit of licensed legal counsel). Coldwell Banker Real Estate LLC v. Bellmarc Grp. LLC, 2022 WL 3644183, \*2 n.2 (3d Cir. Aug. 24, 2022) (citations to binding authority omitted). Thus, the pro se filer of this lawsuit cannot properly respond to a show cause order.

Under the circumstances, this case is **DISMISSED**, forthwith, for lack of subject matter jurisdiction. The dismissal is without prejudice to refiling in state court, although the filer is advised that a corporation's retention of licensed legal counsel is a prerequisite to litigation in Pennsylvania state court, as well. *See* Barrett v. M&B Medical Billing, Inc., 2022 WL 4295437, \*3 (Pa. Super. Sept. 19, 2022) (citation to binding legal authority omitted).

IT IS SO ORDERED.

September 30, 2022

s/Cathy Bissoon

Cathy Bissoon

United States District Judge

cc (via First-Class U.S. Mail):

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508 Prudential Road  
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